

Message Text

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DRAFTED BY ARA/PAN:SMBELL:ASM
APPROVED BY ARA - AMBASSADOR BOWDLER
S/S -WHLUERS
L/ARA - MR. KOZAK

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY PANAMA IMMEDIATE

GOVERNOR PANCANAL IMMEDIATE

USCINCSO IMMEDIATE

C O N F I D E N T I A L STATE 117998

EXDIS

E.O.: 11652:GDS

TAGS: PFOR/PN

SUBJ: U.S.-PANAMA TREATY NEGOTIATIONS: REPORT OF
DEVELOPMENTS (JUNE 3, 1974).

GENEVA PASS TO AMBASSADOR BUNKER FROM BELL

I. SUMMARY-INTRODUCTION

1. TWO "MESSAGES" HAVE BEEN RECEIVED FROM PANAMA URGING
PROMPT INITIATION OF SUBSTANTIVE TALKS. PANAMA HAS
APPARENTLY CONCLUDED THAT THE TIMES ARE RIGHT TO REACH
OUT FOR AN AGREEMENT.

2. IN VIEW OF YOUR SCHEDULE I HAVE TEMPORIZED ON
SPECIFIC DATES.

3. TO PREPARE FOR A POSSIBLE MEETING IN LATE JUNE ON
CONTADORA OF CHIEF NEGOTIATORS, I SUGGESTED AND PANAMA
ACCEPTED A MID-MONTH VISIT TO THE CANAL ZONE BY THE DEPUTY
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NEGOTIATORS. THEIR PURPOSE WOULD BE TO DERIVE A FEEL FOR

HOW PANAMA MIGHT PARTICIPATE MEANINGFULLY IN THE ADMINISTRATION OF THE PANAMA CANAL ENTERPRISE. THAT VISIT WOULD PROVIDE PANAMA WITH SOME "ACTION", IN THE SENSE THAT, IF YOU AND THE FOREIGN MINISTER MAY WISH TO ADDRESS FIRST THE PARTICIPATION ISSUE RATHER THAN THE JURISDICTION ONE, THE DEPUTIES' VISIT WOULD BE HELPFUL IN THOSE TALKS.

II. ACTION REQUESTS

4. THAT YOU:

(A) ADVISE WHETHER AN END-JUNE VISIT TO PANAMA SEEMS APPROPRIATE FOR YOU, AND

(B) ADVISE WHETHER MY GENERAL APPROACH, INCLUDING THE DEPUTIES' MID-MONTH VISIT TO PANAMA HAS YOUR APPROVAL.

5. SINCE OUR RETURN FROM PANAMA AFTER AGREEING, AD REFERENDUM TO OUR PRINCIPALS, ON A FINAL VERSION OF THE MAJOR-ISSUES DOCUMENT, AMBASSADOR GONZALEZ-REVILLA AND I HAVE BEEN MEETING EVERY FEW DAYS. IN THESE TALKS HE MENTIONED, ALTHOUGH IN A SEEMINGLY OFFHAND WAY, THE PANAMANIAN NEGOTIATORS' DESIRE TO MOVE PROMPTLY INTO SUBSTANTIVE TALKS. HE SAID THAT DESIRE WAS RESPONSIVE TO YOUR INITIATIVE WITH THE FOREIGN MINISTER DURING THE RECENT WASHINGTON ROUND OF NEGOTIATION.

6. THE OFFHANDEDNESS VANISHED WHEN HE LEFT HIS SICK BED AND APPEARED AT MY HOUSE THE EVENING OF MAY 31 TO CONVEY "A MESSAGE FOR THE AMERICAN NEGOTIATORS". FROM HIS MANNER I PRESUME IT REFLECTS TORRIJOS' VIEWS.

7. THE MESSAGE WAS TO THE EFFECT THAT PANAMA IS NOW MORE READY TO NEGOTIATE IN WAYS THAT WILL LEAD TO AGREEMENT WITH THE UNITED STATES THAN IT LIKELY WILL EVER BE AGAIN.

8. HE EXPLAINED THAT THIS CONCLUSION HAD BEEN BASED ON FOUR ELEMENTS, EACH "UNPRECEDENTED": (1) THE DEGREE OF CONFIDENTIAL

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DOMESTIC BACKING THE GOVERNMENT IS RECEIVING, "FROM THE PEOPLE WHO COUNT", FOR ITS PROMPT CONVERSION OF THE EIGHT PRINCIPLES INTO A TREATY; (2) THE DEGREE OF RESPECT FOR AND FAITH IN THE AMERICAN OFFICIALS CONCERNED WITH THE NEGOTIATION; (3) THE DEGREE OF GOOD WILL AMONG THE PANAMANIAN PEOPLE FOR THE AMERICAN PEOPLE; AND (4) THE DEGREE OF TORRIJOS' CONVICTION THAT A TREATY IS NEEDED NOW AND IS POSSIBLE OF ACHIEVEMENT.

9. IN RESPONSE TO MY QUESTION AS TO WHETHER A REPLY TO THIS MESSAGE WOULD BE APPROPRIATE, HE SAID "NO, BECAUSE IT IS INFORMAL, BUT IT IS VERY MEANINGFUL". THEREUPON I VOLUNTEERED THAT I KNEW YOU AND THE SECRETARY WOULD BE

GRATIFIED AT THE SUBSTANCE AND THE KIND WORDS IN THE MESSAGE, AND SHARED THE DESIRE TO MOVE AS PROMPTLY AS POSSIBLE TOWARD THE SUCCESSFUL CONCLUSION OF A NEW TREATY RELATIONSHIP.

10. I MENTIONED TO THE AMBASSADOR, HOWEVER, THAT OUR MODEST SUCCESSES THUS FAR HAVE BEEN ATTRIBUTABLE IN LARGE MEASURE TO THE "CAREFUL AND METHODICAL BUT WITH ALL DELIBERATE SPEED" APPROACH YOU AND THE MINISTER HAD CHOSEN. MOREOVER, NEITHER SIDE -- AND PERHAPS ESPECIALLY THE UNITED STATES -- COULD AFFORD TO ALLOW THE NEGOTIATION TO GET FAR OUT IN FRONT OF THE TEMPER OF DOMESTIC OPINION, OFFICIAL AND PRIVATE. I ADDED THAT I ASSUMED PANAMA STILL HELD TO ITS POSITION THAT IT WISHED IN NO WAY TO INTERFERE WITH THE DISCHARGE OF YOUR RESPONSIBILITIES IN THE MIDDLE EAST.

11. AT THAT GONZALEZ BACKED OFF, AND ASKED WHEN I THOUGHT IT MIGHT BE POSSIBLE FOR YOU TO TRAVEL TO PANAMA FOR THE FIRST SUBSTANTIVE ROUND. I SAID MY GUESS WAS THAT YOU WOULD BE PREOCCUPIED WITH THE DISENGAGEMENT PROCESS IN GENEVA FOR APPROXIMATELY TWO WEEKS, AND THAT UPON YOUR RETURN TO WASHINGTON YOU WOULD REQUIRE A CERTAIN TIME FOR CONSULTATIONS AND BRIEFINGS, SO THAT A VISIT TOWARD THE END OF THE MONTH MIGHT WORK OUT.

12. THEN GONZALEZ SAID HE HAD "FALLBACK" INSTRUCTIONS, CONFIDENTIAL

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WHICH WERE TO ASK THAT I GO TO PANAMA AS SOON AS POSSIBLE TO INITIATE SUBSTANTIVE TALKS AT THE DEPUTY NEGOTIATOR LEVEL, IN PREPARATION FOR END-JUNE CHIEF NEGOTIATOR TALKS.

13. I DO NOT KNOW WHAT LIES BEHIND THIS NEW SENSE OF URGENCY, BUT THEY HAVE CONVEYED IT IN CLEAR TERMS AND WE SHOULD NOT MISS THE OPPORTUNITY TO TRY TO FIND OUT WHAT LIES BEHIND IT AND TAKE ADVANTAGE OF THEIR DESIRE TO PRESS FORWARD.

14. ON THE OTHER HAND I CANNOT ENVISAGE THE CLIMATE BECOMING LESS PROPITIOUS IN A MATTER OF A FEW WEEKS. AND I BELIEVE THE FIRST SUBSTANTIVE TALKS WILL BE SO IMPORTANT, FROM THE VIEWPOINT OF SETTING TONE AND DIRECTION, THAT WE HAVE SUFFICIENT TIME TO PREPARE FOR THEM FULLY AND

THAT ONLY YOU SHOULD INITIATE THEM.

15. I SAID AS MUCH TO GONZALEZ, BUT SUGGESTED THAT IF PANAMA WANTED "ACTION", HE AND I IMPLEMENT THE CHIEF NEGOTIATORS' EARLIER DECISION THAT THE DEPUTIES UNDERTAKE A PERSONAL OBSERVATION OF THE PANAMA CANAL COMPANY-GOVERNMENT OPERATIONS. THE PURPOSE WOULD BE TO DERIVE SOME FEELING FOR OURSELVES AS TO HOW PANAMA MIGHT PARTICIPATE IN THE ADMINISTRATION OF THE CANAL ENTERPRISE.

16. HE AGREED AT ONCE, BUT ADDED THAT HE STILL HOPED I WOULD BE ABLE TO GIVE HIM SOME "TENTATIVE SUBSTANTIVE THOUGHTS" DURING THIS TRIP. GONZALEZ ALSO SAID HE INFERRED FROM MY COUNTER PROPOSAL THAT THE UNITED STATES MIGHT BE HAVING TROUBLE ACQUIESCING IN PANAMA'S SUGGESTION THAT THE FIRST ISSUE FOR SUBSTANTIVE DISCUSSION BE THE JURISDICTIONAL ONE. HE SAID HE WAS CERTAIN PANAMA WOULD WITHDRAW THAT SUGGESTION IN FAVOR OF ANY OTHER ISSUE -- SUCH AS PANAMA'S PARTICIPATION IN CANAL ADMINISTRATION.

17. BY WAY OF BACKGROUND ON THAT POINT, I AM IMPRESSED WITH THE DEFENSE DEPARTMENT'S ARGUMENTS THAT YOU MIGHT WISH TO CONSIDER BEGINNING WITH THE PARTICIPATION ISSUE RATHER THAN JURISDICTION. PERHAPS IT WOULD BE BEST TO DECIDE WHAT THE PANAMA CANAL ENTERPRISE IS GOING TO LOOK CONFIDENTIAL

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AND ACT LIKE, WITH MEANINGFUL PANAMANIAN PARTICIPATION, BEFORE WE BEGIN TO DIVIDE UP THE "RIGHTS" WHICH AFFECT THE ENTERPRISE. A MORE COMPELLING ARGUMENT, I THINK, IS THAT YOU MIGHT WISH TO HOLD BACK FOR A TIME ON THE JURISDICTIONAL ISSUE, WHICH MEANS SO MUCH TO PANAMA AND RESPECTING WHICH YOU HAVE MUCH FLEXIBILITY.

18. IN ANY CASE THE EIGHT-MAN STATE-DEFENSE GROUP, WHICH HAS BEEN SET UP TO PROVIDE YOU WITH SUPPORT OF A "THINK-TANK" NATURE AND WHICH IS FUNCTIONING WELL, HAS AS ITS FIRST TASK THE SORTING OUT OF THE PROS AND CONS RESPECTING THE ISSUE TO BE ADDRESSED FIRST.

19. THE EVENING OF JUNE 2 THE AMBASSADOR TELEPHONED ANOTHER "MESSAGE" THIS TIME SPECIFICALLY FROM THE FOREIGN MINISTER. FIRST, THEY WILL EXPECT ME IN PANAMA, ACCOMPANIED BY KOZAK, BY JUNE 16. I SAID I THOUGHT THAT WOULD BE ALL RIGHT BUT I HAD TO CONSULT YOU.

20. SECOND, THEY "OFFICIALLY" RECEDE FROM THE SUGGESTION THAT JURISDICTION BE THE FIRST ISSUE ADDRESSED, AND WELCOME AS A SUBSTITUTE ISSUE PANAMA'S PARTICIPATION IN

CANAL ADMINISTRATION. I SAID WE ARE STILL STUDYING THE MATTER WITH A VIEW TO MAKING RECOMMENDATIONS TO YOU.

21. THIRD, THEY "HOPE THAT AS THE DEPUTIES WALK THROUGH THE ZONE, THEY CAN TALK -- SUBSTANTIVELY". I SAID WE COULD CERTAINLY TALK AS WE WALKED.

22. I AM COMMUNICATING WITH GOVERNOR PARKER TO SEE WHETHER IT WOULD BE CONVENIENT FOR HIM TO HAVE THE DEPUTY NEGOTIATORS IN THE ZONE FOR A FEW DAYS, AND WOULD OF COURSE ADJUST PLANS TO HIS DESIRES.

23. I WOULD ALSO HOPE TO HAVE AN OPPORTUNITY FOR THE LONG TALK WITH GENERAL ROSSON WHICH YOU HAD SUGGESTED, TO FAMILIARIZE THE U.S. NEGOTIATING TEAM WITH HIS VIEWS ON THE MATTER OF PANAMA'S PARTICIPATION IN CANAL DEFENSE.

24. I AM PUZZLED BY THE SUDDEN AND PERSISTENT PANAMANIAN URGE FOR BARGAINING AND SENSE THAT AMBASSADOR GONZALEZ, CONFIDENTIAL

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THOUGH HE PUTS UP A GOOD FRONT, IS ALSO. TORRIJOS IS OFTEN UNREADABLE, EVEN TO CONFIDANTS. PERHAPS HE HAS SIMPLY GOTTEN HIMSELF IN A MOOD TO NEGOTIATE.

25. I RECOMMEND THAT I GO TO PANAMA IN MID-JUNE WITH GONZALEZ-REVILLA TO DO WHAT I HAVE OUTLINED IN PARAGRAPH 15 AND AT THE SAME TIME PROBE WHAT IS BEHIND THE PANAMANIAN DEMARCHE AND EXPLORE THEIR THINKING ON SUBSTANTIVE ISSUES. KISSINGER

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